

REMARKS

Applicants' respectfully request reconsideration of the rejections in light of the clarifications to the claims.

Applicants thank the Examiner for clearly setting forth the broad definition of "preferred program indicator" and "recommended program indicator" used in examining Applicants' claims. As applicants previously argued, these two indicator types are different, and applicants' specification describes that difference. Applicants amend the relative claims to better capture that difference. For example, claim 1 now recites that the "preferred program indicators correspond to programs of interest selected by the user." (Support is found, for example, at paragraph 26) Similarly, claim 1 now also recites that the "recommended program indicators correspond to programs recommended to the user by a third party." (Support is found, for example, at paragraph 9.) This third party can include, for example, a content provider or guide provider.

With this clarification in mind, Alten does not anticipate or render obvious applicants claims. For example, among other limitations, claim 1 recites "retrieving a list of recommended program indicators, wherein the recommended program indicators correspond to programs recommended to the user by a third party." The Office Action points to Alten favorite channel 71 in Figure 7 as the corresponding element. Alten's favorite channel button links to a list of favorite television channels and not programs. Further, Alten's favorite channel button links do not correspond to programs recommended to the user by a third party—as is recited in claim 1. Alten Figure 8, for example, shows a favorite channel screen. Notice that only favorite channels are listed. Programs are not listed.

The Office Action, at page 9, reproduces material from Alten's column 11.

Applicants point out that the material recites a "Channel Preference" and a "Favorite Channel" list. This material makes no mention of recommended programs, as recited in claim 1. Programs and channels are different. That is, a recommended program is not the same as a favorite channel. A program is, for example, *My Wife and Kids*. A channel is, for example, ABC.

Applicants' claim 1 requires retrieving a list of recommended program indicators and not a list of favorite channels. Thus, claim 1 is distinguishable over Alten.

Claim 1 also recites retrieving a list of preferred program indicators, "wherein the preferred program indicators correspond to programs of interest selected by the user." Alten does not teach or disclose this limitation. For example, the office action points to viewer preference mode 161, Figure 16 and column 19, lines 49-57 in Alten. This Alten material relates to visual layout and characteristics. In essence, the viewer preference mode 161 corresponds to a menu or configuration button. The viewer preference button is not associated with programs (e.g., TV programs) that are selected by the viewer.

Alten does not disclose retrieving a list of preferred program indicators, wherein the preferred program indicators correspond to programs of interest selected by the user. Accordingly, Alten cannot anticipate or render obvious applicants' claimed invention.

As for claims 2-4, they depend from claim 1. These claims are allowable because claim 1 is allowable. As for independent claims 5 and 19, the Office Action states that these claims were rejected for the same reasons as claim 1. Applicants submit that in light of the above remarks, these claims are in condition for allowance based on the

comments above. Similarly, applicants submit that the claims dependent on claims 5 or 19 are allowable.

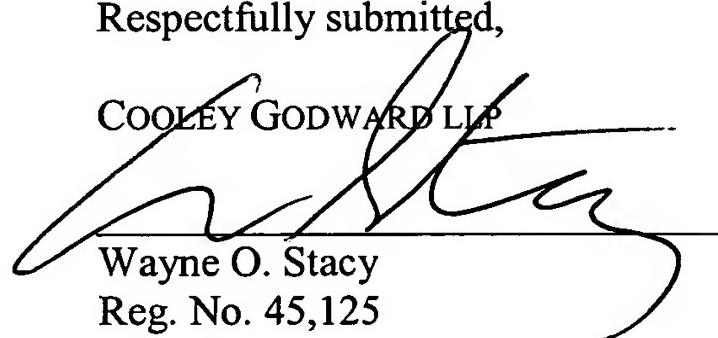
CONCLUSION

In view of the foregoing, Applicants respectfully submit that no further impediments exist to the allowance of this application and, therefore, solicit an indication of allowability. However, the Examiner is requested to call the undersigned if any question or comments arise.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

COOLEY GODWARD LLP
Attention: Patent Group
One Freedom Square - Reston Town Center
11951 Freedom Drive
Reston, Virginia 20190-5601
Tel: (703) 566-4125
Fax: (703) 566-4099

230173 v1/CO
4xlp01!.DOC

Respectfully submitted,

By: COOLEY GODWARD LLP
Wayne O. Stacy
Reg. No. 45,125